

**AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

**LISTING OF CLAIMS:**

**1-60. (cancelled):**

**61. (currently amended):** A method for the preparation of microparticles from a liquid one-phase system containing biological material and a suitable amount of at least two compounds being incompatible in aqueous solution, ~~wherein the formation of the microparticles is achieved by evaporation of~~ the method consisting of the method step of evaporating water from the one-phase system leading to a phase separation with a dispersed phase and a continuous phase, thereby producing the formation of the microparticles, wherein the first compound of the at least two compounds is a dextran-based polymer, and the second compound of the at least two compounds is a polyaliphatic alcohol or derivative thereof, and wherein the evaporating step does not employ any emulsification means, vortexing step, or stirring step.

**62. (currently amended):** A method according to claim 61, wherein said evaporating ~~process~~ step has a duration between 0.1 and 100 hours.

**63. (currently amended):** A method according to claim 61, wherein said evaporating ~~process~~ step has a duration between 0.1 and 50 hours.

**64. (currently amended):** A method according to claim 61, wherein said evaporating ~~process~~ step is carried out at a temperature between 0 °C and 100 °C.

**65. (currently amended):** A method according to claim 61, wherein said evaporating ~~process~~ step is carried out at a temperature between 0 °C and 50 °C.

**66. (currently amended):** A method according to claim 61, wherein said evaporating ~~process~~ step is carried out under a pressure of 0.1 to 760 mm Hg p.

**67. (currently amended):** A method according to claim 61, wherein said evaporating ~~process~~ step is stopped when the water concentration within the system is between 5 to 80 %.

**68. (currently amended):** A method according to claim 61, wherein said evaporating ~~process~~ step is stopped when the water concentration within the system is between 5 to 75 %.

**69. (previously presented):** A method according to claim 63, wherein the calcium phosphate precipitation method is used.

**70. (previously presented):** A method according to claim 65, wherein the calcium phosphate precipitation method is used.

**71. (currently amended):** A method according to claim 67, wherein the calcium phosphate precipitation method is used.

**72. (currently amended):** A composition to produce particles for delivery of biological material into a target cell comprising:

biological material,

a preparation of an aqueous polymer system on the basis of a mixture with at least two compounds being incompatible in aqueous solutions, said compounds being present in a

concentration in water that leads to the spontaneous formation of a dispersed phase by one of said compounds, said dispersed phase including microparticles composed of at least 75 % of said polymer compounds and 25 % or less of said biological material in said aqueous solution, wherein said microparticles are produced by the process of claim 61.

**73. (previously presented)** A composition according to claim 72, wherein the mixture is a water mixture.

**Cancel claims 74-77.**

**78. (previously presented):** A composition according to claim 77, wherein one compound is substituted by a nucleic acid-binding agent.

**79. (previously presented):** A composition according to claim 77, wherein one compound is substituted by a nucleic acid-binding agent.

**80. (currently amended):** A composition according to claim ~~72~~<sup>75</sup>, wherein the polyaliphatic alcohol is polyethylene oxide, or a derivative thereof, or polyethylene glycol (PEG), or PEG-acrylate, or polyvinyl acetate, or a derivative thereof.

**81. (previously presented):** A composition according to claim 80, wherein said polyethyleneglycol has a molecular weight from 3 kDa to 20 kDa.

**82. (previously presented):** A composition according to claim 72, wherein said composition comprises a surfactant or a derivative thereof.

**83. (previously presented):** A composition according to claim 82, wherein said surfactant is polyoxyethylene sorbitan and a fatty acid ether (Tween-20, 40, 60, 80).

**84. (previously presented):** A composition according to claim 72, said composition comprising polyoxyethylene-polyoxypropylene co-polymer.

**85. (previously presented):** A composition according to claim 84, wherein said polyoxyethylene-polyoxypropylene co-polymer is Pluronic L-64 or Pluronic F-68, or a derivative thereof.

**86. (previously presented):** A composition according to claim 72, said composition comprising polyvinylpyrrolidone (PVP).

**87. (previously presented):** A composition according to claim 72, wherein said biological material comprises polynucleotides, or vaccines (microbes, viruses), or proteins, or peptides, or derivatives thereof.

**88. (previously presented):** A composition according to claim 72, wherein said biological material comprises cytokines or monoclonal antibodies.

**89. (previously presented):** A composition according to claim 88, wherein said cytokines comprise interferones and/or interleukines.

**Cancel claims 90-94.**

**95. (previously presented):** A composition according to claim 87, wherein said polynucleotide is DNA.

**96. (previously presented):** A composition according to claim 87, wherein said polynucleotide is RNA.

**97. (previously presented):** A composition according to claim 96, wherein said RNA is antisense.

**98. (previously presented):** A composition according to claim 80, wherein said polyethylene glycol has a molecular weight from 1 kDa to 20 kDa.

**99. (previously presented):** Microparticles formed by conducting a method as in any one of claims 61 to 71.

**100. (previously presented):** Microparticles according to claim 99 being composed of at least 75 % polymer molecules and 25 % or less biological material.